

BEFORE THE CITY COUNCIL
GARDEN CITY, ADA COUNTY, IDAHO

In the Matter of:)	SUBFY2020-06
)	
Extension Request)	FINDINGS OF FACT,
Address: 6515 State Street)	CONCLUSIONS OF LAW
Garden City, Ada County, Idaho)	AND DECISION
_____)	

THIS MATTER came before the Garden City Council for consideration on June 26, 2023. The City Council reviewed the request. Based on the evidence presented, pursuant to Garden City Code § 8-6-A. 8 and 8-5B-6 the City Council makes the following Findings of Fact, Conclusions of Law, and Decision:

FINDINGS OF FACT

1. The requester is Robert Taunton.
2. The property owner of record is RC River Front Holdings, LLC.
3. The location of the project is Street Address: 6515 W. State Street, Garden City, Idaho.
4. The property is described as a parcel of land being a re-subdivision of a portion of Lot 70, Block 1 of "The Amended Plat of a Portion of Lot 1, and all of Lots 2, 3, 4, 5 and 6, Block 1 of The Plantation No. 2" (Subdivision), located in Government Lot 2 in the Southwest Quarter of Section 30, Township 4 North, Range 2 East, Boise Meridian, Garden City, Ada County, Idaho.
5. The final plat was approved for one year by City Council on June 30, 2021.
6. A one-year extension was granted to July 27, 2023.
7. The city received an additional one-year extension request in writing on June 12, 2023, noting cause related to:
 - a. FEMA requires a LOMR rather than a LOMA.
 - i. The LOMR was not anticipated and is a process that entails a more time consuming and detailed hydrologic analysis and hydraulic modeling approval.
 - b. Availability of construction materials for infrastructure, specifically, pipe and materials required for underground infrastructure had a longer than anticipated lead time.

- 8. The record contains:
 - a. Applicant request.
 - b. Record documents for SUBFY2020-06

9. The following standards in the Garden City Code apply to this proposal:

Standards	Compliant	Reasoned Statement of Conclusions
GCC 8-5B-6 Term of Subdivision Permit	N/A	Not applicable with an extension approval.
GCC 8-6A-8 Expiration of Approvals	Yes/ No	<p>1. Good Cause exists for the request:</p> <p><u>Explanation:</u> Good cause for the request exists. With the violation that had to be remedied due to no fault of the applicant, there has not been adequate time to address the floodplain as required as a condition of approval.</p> <p>2. The application and or applicable city regulations have not changed.</p> <p><u>Explanation:</u> The applicable city regulations have not changed. The applicant will be required to submit a LOMR rather than a LOMA as anticipated in the preliminary plat.</p> <p>3. There has not been change in the neighborhood, plans or policies that affect the compatibility of the project:</p> <p><u>Explanation:</u> There has not been change in the neighborhood, plans or policies that affect the compatibility of the project.</p> <p>4. The property appears to be compliant with codes and laws:</p> <p>There are no known code enforcement issues at this location.</p> <p>5. It is in the City's best interest to grant the extension:</p>

		<u>Explanation:</u> It is in the City's best interest to grant the extension.
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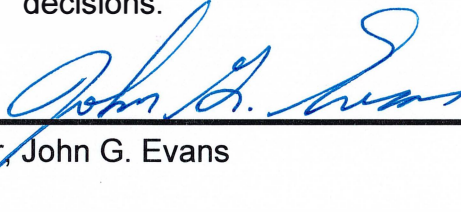
CONCLUSIONS OF LAW

The City Council reviewed the application with regard to Garden City Code, Title 8, and concludes the application **does** meet the standards of approval under G.C.C. § 8-6-A.8.

DECISION

WHEREFORE, based upon the foregoing Findings of Fact and Conclusions of Law contained herein, the Garden City Council does hereby **Approve** this request for an extension of the building permit.

1. This approval is for a one-year extension to July 27, 2024.
2. Final decisions may be subject to judicial review pursuant to the Idaho Administrative Procedures Act, Chapter 65 Title 67 Idaho Code.
3. A takings analysis pursuant to Idaho Code may be requested on certain final decisions.



June 26, 2023

Mayor, John G. Evans

Date